

SATURDAY, JUNE 23, 2001
FIFTY-THIRD LEGISLATIVE DAY

The House met at 1:30 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Wood.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Tidwell; illness.

Representative Todd; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 397: Rep(s), Bittle, Sargent, Maddox, Fitzhugh and Patton as prime sponsor(s).

House Joint Resolution No. 576: Rep(s), Ridgeway, Fitzhugh and Maddox as prime sponsor(s).

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House Joint Resolution No. 577: Rep(s). Hargett as prime sponsor(s).

House Bill No. 1283: Rep(s). S. Jones as first prime sponsor(s).

House Bill No. 1283: Rep(s). Garrett as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Harwell was/were removed as sponsor(s) of **House Joint Resolution No. 397**.

On motion, Rep(s). Langster was/were removed as sponsor(s) of **House Bill No. 1283**.

**REPORT OF DELAYED BILLS COMMITTEE
June 23, 2001**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 2020.

Jimmy Naifeh, Speaker
Gene Davidson
Steve McDaniel

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 24, 2001:

House Joint Resolution No. 578 -- Memorials, Death - Lizzie Mai Ridley Morton. by *Langster, *Pruitt, *Jones, S., *Bowers, *DeBerry L, *Curtiss, *Odom, *Turner (Davidson), *Brown, *Armstrong, *Tindell.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2020** -- Utilities, Utility Districts - Deletes current statutory requirement for customer election to approve increased per diem for commissioners of water and sewer utility district in Scott County. Amends TCA Section 7-82-308(f). by *Winningham.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2033 -- Lebanon -- Local Bill Held on House Desk

House Bill No. 2035 -- Maury County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **June 23, 2001**, reported the following:

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Resolution(s) No(s). 14, 144, House Joint Resolution(s) No(s). 397, 551, 576, 569, Senate Joint Resolution(s) No(s). 176, 239, 219 and 355, also House Bill(s) No(s). 1926, 1515, 26 and 1283 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for June 23, 2001**: House Bill(s) No(s). 1926, 1283, 1515, 26, House Joint Resolution(s) No(s). 397 and 576.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for June 23, 2001**: House Resolution(s) No(s). 14, 144, House Joint Resolution(s) No(s). 551, 569, Senate Joint Resolution(s) No(s). 176, 219, 239 and 355.

CONSENT CALENDAR

House Joint Resolution No. 577 -- Memorials, Recognition - Greek Festival. by *Chumney, *DeBerry J, *Jones U (Shelby), *Bowers.

Senate Joint Resolution No. 452 -- Memorials, Death - Dianne Shea. by *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

House Resolution No. 14 -- General Assembly, Studies - Continues special house committee to study bankruptcy. by *Fitzhugh, *Cole (Dyer).

House Resolution No. 144 -- General Assembly, Directed Studies - Directs study relative to development of educational center focused on international trade. by *Cooper B, *DeBerry J, *Jones U (Shelby), *Towns, *Brooks.

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***House Joint Resolution No. 551** -- Highway Signs - "Fred Clark Memorial Highway," S.R. 141 in Macon County. by *Buck, *Winningham.

***House Joint Resolution No. 569** -- Highway Signs - "John Steele Cooper Bridge," U.S. Highway 70S at Van Buren-White county boundary. by *Curtiss.

***Senate Joint Resolution No. 176** -- General Assembly, Directed Studies - Directs judicial council to study issues relative to providing district attorneys, public defenders, and clerks of court access to interpretation services in various languages. by *Henry, *Dixon.

Senate Joint Resolution No. 219 -- Naming and Designating - Names elevated portion on south side of press suite in Legislative Plaza "Bill 'Rocky' Rawlins Press Room." by *Cohen, *Henry, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

***Senate Joint Resolution No. 239** -- Memorials, Congress - Urges fully funding federal commitment to Individual with Disabilities Education Act (IDEA). by *McNally, *Dixon, *Graves, *Williams.

Senate Joint Resolution No. 355 -- Naming and Designating - Designates September 16-22, 2001, as "Accounting Week in Tennessee." by *Crowe, *Williams, *McNally.

Rep. West moved that all members voting aye on Senate Joint Resolution(s) No(s). 452 be added as sponsors, which motion prevailed.

Rep. Kisber moved that all members voting aye on Senate Joint Resolution(s) No(s). 219 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S. Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Overbey, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1926** -- Insurance Companies, Agents, Brokers, Policies - Prohibits health maintenance organizations from advertising or soliciting with information that does not conform to any fact "material" to enrollees, instead of fact "significant" to enrollees; modifies date from March 1 to April 1 when certain persons associated with managed care organizations under TennCare must file disclosure statements with commissioner of health. - Titles 56, 67 and 71 of the TCA. by *McDaniel. (SB1894 by *McNally)

On motion, House Bill No. 1926 was made to conform with **Senate Bill No. 1894**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 1894 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1894 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. (a) There is hereby created a special joint committee to study whether economic or market benefits exist in Tennessee's health insurance market for those persons or entities that have not participated in the TennCare program, including insurance and managed care entities, employers, providers, and other individuals or entities.

(b) The committee shall consist of five (5) members of the House of Representatives and five (5) members of the Senate, to be appointed by the respective speakers. Two (2) of the Senate members shall be members of the Senate Commerce, Labor and Agriculture Committee and two (2) of the Senate members shall be members of the Senate Finance, Ways and Means Committee. Two (2) of the House members shall be members of the House Commerce Committee and two (2) of the House members shall be members of the House Finance, Ways and Means Committee.

(c) All appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

(d) All legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly.

(e) The special joint committee shall be convened by the member with the most years of continuous service in the General Assembly, and at its first meeting shall elect a chair, vice-chair, and such other officers the committee deems necessary.

(f) The special joint committee shall timely report its findings and recommendations, including any proposed legislation or interim reports, to the One Hundred Second General Assembly no later than February 1, 2002, at which time the committee shall cease to exist.

SECTION 2. Tennessee Code Annotated, Section 56-32-204(a), as amended by Public Chapter 151 (House Bill No. 1156 / Senate Bill No. 712), is further amended by deleting subdivision (2), which reads as follows:

(2) The health maintenance organization will effectively provide or arrange for the provision of basic health care service on a prepaid basis through insurance or otherwise, except to the extent of reasonable enrollee cost sharing requirements such as copayments, deductibles or coinsurance. Provided however, for basic health care services through participating in-network providers, the enrollee's cost share shall not exceed twenty percent (20%).

And by substituting instead the following:

(2) The health maintenance organization will effectively provide or arrange for the provision of basic health care service on a prepaid basis through insurance or otherwise, except to the extent of reasonable enrollee cost sharing requirements such as copayments, deductibles or coinsurance. Provided however, for basic health care services through participating in-network providers, the amount of coinsurance paid by the enrollee shall not exceed twenty percent (20%).

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

Rep. Chumney requested that Senate Bill No. 1894 be moved to the heel of the Calendar.

House Bill No. 1283 -- Taxes, Sales - Increases, from \$500 to \$750, threshold for exchange of sales and use tax transactions with other states under reciprocity agreement. Amends TCA Title 7; Title 12; Title 30; Title 57 and Title 67. by *Langster, *Jones, S., *Garrett. (*SB1475 by *Dixon)

Rep. S. Jones moved that House Bill No. 1283 be reset for the Regular Calendar on June 24, 2001, which motion prevailed.

***House Bill No. 1515** -- TennCare - Requires any waiver submitted pursuant to recommendation of long-term care services planning council to allocate funds equitably between urban and rural areas. Amends TCA Title 4; Title 56; Title 68 and Title 71. by *Head. (SB1758 by *Haun, *Burks)

Rep. Head moved that House Bill No. 1515 be reset for the Regular Calendar on June 26, 2001, which motion prevailed.

***House Bill No. 26** -- Motor Vehicles - Increases from 200 to 250 feet distance required for clear view of vehicle parked on highway outside business or residential district. Amends TCA Title 55. by *Turner (Davidson), *Odom. (SB423 by *Trail)

Rep. Turner (Davidson) moved that House Bill No. 26 be passed on third and final consideration.

Rep. Beavers moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 26 By deleting in its entirety all the language following the caption, and by substituting instead the following language:

WHEREAS, The General Assembly recently enacted Chapter 158 of the Public Acts of 2001 to expedite the application process for legal aliens to obtain a Tennessee driver license; and

WHEREAS, This legislation, while well intentioned, has had the unanticipated effect of producing long lines of applicants at the various driver license examination centers, and it has become abundantly clear that the Department of Safety is not adequately staffed to implement the provisions of Public Chapter 158; and

WHEREAS, This legislation has also had the unintended effect of encouraging illegal aliens to apply for a Tennessee driver license, thus creating the long lines that are preventing citizens and legal aliens from obtaining their driver licenses in a timely manner; and

WHEREAS, Since the insurance industry must have a reasonable benchmark for determining the risks in providing a particular applicant with automobile insurance, which could be a social security number, an alien who obtains a Tennessee driver license without a Social Security number may be impeded in his or her efforts to comply with our financial responsibility laws, even without any revisions to Public Chapter 158; and

WHEREAS, It is most apparent that the General Assembly acted hastily in enacting this legislation into law, and it should be repealed until such time as the issue has been adequately studied and a driver license application process equitable to citizens, legal aliens and state government alike can be implemented; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-321(c), is amended by deleting subdivision (1), as amended by Chapter 158 of the Public Acts of 2001, in its entirety and by substituting instead the following:

(1) Every application shall state the full name, date and place of birth, sex, county of residence, residence address, including the street address and number or route and box number (or post office box number if the applicant has no bona fide residential street address) of applicant, height, weight, hair and eye color, social security number, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of, and reason for, such suspension, revocation, or refusal, and such other information as the department may require to determine the applicant's identity, competency, and eligibility. The information regarding the applicant's social security number shall be maintained in the records of the department of safety for use as required by any provisions of state or federal law relative to child support establishment or enforcement or for such other purposes as may be required by law. If the department allows the use of a number other than the social security number on the face of the license, and the social security number obtained on the application is kept on file with the department, the department shall so advise the applicant. Any applicant for a Tennessee driver license who desires the assistance of an interpreter in order to make application for a license and complete the required application shall be responsible for procuring such assistance; provided, that nothing contained within the provisions of this part shall be construed or implemented in any manner which violates the provisions of the Americans With Disabilities Act, 42 U.S.C. § 12101 *et seq.*

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Turner (Davidson) moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	48
Noes	42

Representatives voting aye were: Armstrong, Arriola, Bowers, Boyer, Briley, Brooks, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry L, Ferguson, Fowlkes, Fraley, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McMillan, Miller, Odom, Phelan, Phillips, Rhinehart, Rinks, Shaw, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Williams, Windle, Winningham, Mr. Speaker Naifeh -- 48.

Representatives voting no were: Baird, Beavers, Bittle, Black, Bone, Bunch, Buttry, Clem, Davis (Washington), DeBerry J, Dunn, Fitzhugh, Ford, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Johnson, McCord, McDonald, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Pleasant, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Stanley, Vincent, Walker, West, Westmoreland, Wood -- 42.

Rep. Rowland moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 26 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-321(c), as amended by Chapter 158 of the Public Acts of 2001, is amended by deleting subdivision (1)(B) in its entirety and by substituting instead the following:

(1)(B) Any applicant who does not have, or who states that the applicant has never been issued, a social security number required by subdivision (1)(A) shall complete an affidavit, under penalty of perjury, affirming that the applicant has never been issued a social security number and submit a copy of one of the following documents:

(i) The Individual Taxpayer Identification Number (ITIN) issued by the Internal Revenue Service resulting from the submission of a Form W-7 to the Internal Revenue Service; or

(ii) Any one of the following most recent documents issued to the applicant by the Immigration and Naturalization Service:

(a) Form I-94;

(b) Employment Authorization Document (E.A.D.); or

(c) I-551.

(C) In addition to submitting the information required pursuant to subdivision (1)(B), an applicant meeting the requirements of subdivision (1)(B) shall also provide acceptable proof of Tennessee residency which shall consist of providing two (2) documents, including but not limited to the following, which must include the applicant's name or the name of the applicant's spouse, if the applicant has a spouse, or if the applicant is a minor the name of a parent or legal guardian:

(i) Utility bill, including telephone service, showing a valid Tennessee residence address;

(ii) Bank statement showing a valid Tennessee residence address;

(iii) Rental contract or receipt showing a valid Tennessee residence;

(iv) Employer verification acceptable by the department;

(v) Life or health insurance policy showing a valid Tennessee residence; or

(vi) Driver license issued by the state of Tennessee to a parent, legal guardian or spouse.

If a student is enrolled in a public or private education institution in Tennessee, the student may provide a photo student identification and documentation acceptable to the department that the student resides on campus.

SECTION 2. Tennessee Code Annotated, Section 55-50-102, is amended by deleting item (41) in its entirety and by substituting instead the following language:

(41) "Resident" means a person who has a home or abode in Tennessee to which, whenever such person is absent, such person has the intention of returning. If a person has a home or abode in Tennessee, for the purposes of this chapter, there is a rebuttable presumption that a person is a resident of Tennessee if at least one (1) of the following applies to such person:

(A) A person is employed or engages in any trade, profession or occupation in Tennessee;

(B) A person is a student in a private or public higher education institution in Tennessee;

(C) A person enrolls his or her child or children to be educated in the private or public schools of Tennessee; or

(D) A person who, except for infrequent, brief absences, has been present in Tennessee for thirty (30) or more days immediately prior to making application; provided that no person shall be considered a resident of Tennessee for purposes of this chapter unless such person is either a United States citizen or an alien with documentation from the U. S. Government;

SECTION 3. Tennessee Code Annotated, Section 55-50-321, as amended by Chapter 700 of the Public Acts of 2000, is further amended by adding the following language at the end of subsection (a):

In addition to such fee, a ten dollar (\$10.00) non refundable fee, which shall constitute expendable receipts of the department, shall be assessed to an applicant at the time such person applies to retake either the written or skills portion of the examination for a driver license which such person failed. These expendable receipts shall be utilized by the department for additional personnel, supplies, space requirements, or other operational expenditures, in order to carry out the provisions of this act. The department shall impose a reasonable waiting period of time before a person is authorized to retake the portion or portions of such examination which such person failed.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Westmoreland moved that House Bill No. 26 be reset for the Regular Calendar on June 25, 2001, which motion prevailed.

***House Joint Resolution No. 397** -- Constitutional Amendments - Limits appropriations for general expenditures from state tax revenues to 6 percent of state's annual economy; revenues received in excess of such limitation to be rebated to taxpayers or used to fund reserve for revenue fluctuations, by *Walker, *Kisber, *Head, *Davidson, *McDaniel, *Boyer, *Harwell, *Newton, *Curtiss, *Wood, *Sharp, *Scroggs, *Ford S, *McKee, *McCord, *Kent, *Buck, *Cole (Carter), *Rinks, *Turner (Hamilton), *Bone.

Rep. Walker moved that House Joint Resolution No. 397 be adopted.

Rep. Walker moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 397 By inserting the following language as a new sentence in the amendatory language of the first resolving clause after the first sentence:

This limitation may not be suspended or exceeded unless the governor declares that a state of emergency exists in the state requiring suspension of this limitation and the House of Representatives and Senate concur in such declaration by an affirmative vote of three-fifths (3/5) of all the members elected to each house.

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On motion, Amendment No. 1 was adopted.

Rep. Boyer requested that the Clerk read House Joint Resolution No. 397, as amended for the first Constitutional reading, according to the Tennessee Constitution.

The Clerk read House Joint Resolution No. 397, as amended.

Rep. Walker moved that House Joint Resolution No. 397 be reset for the Regular Calendar on June 24, 2001, for second reading, which motion prevailed.

***House Joint Resolution No. 576** -- Constitutional Amendments - Proposes amendment to Article II, Section 24, to limit state tax revenues to 6 percent of state's economy unless governor declares emergency and declaration is ratified by three-fifths of each house. by *Buck, *Walker, *Head, *Newton, *Naifeh.

Rep. Buck requested that House Joint Resolution No. 576 be moved to the heel of the Message Calendar.

Senate Bill No. 1894 -- Insurance Companies, Agents, Brokers, Policies - Prohibits health maintenance organizations from advertising or soliciting with information that does not conform to any fact "material" to enrollees, instead of fact "significant" to enrollees; modifies date from March 1 to April 1 when certain persons associated with managed care organizations under TennCare must file disclosure statements with commissioner of health. - Titles 56, 67 and 71 of the TCA. by *McNally. (*HB1926 by *McDaniel)

Further consideration of Senate Bill No. 1894 previously considered on today's Calendar at which time the House substituted the House Bill for the Senate Bill and was on the motion to adopt Amendment(s) No(s). 1.

Rep. McDaniel moved that Senate Bill No. 1894 be passed on third and final consideration.

Rep. Odom moved that Senate Bill No. 1894 be reset for the Regular Calendar on June 25, 2001, which motion prevailed.

***House Joint Resolution No. 576** -- Constitutional Amendments - Proposes amendment to Article II, Section 24, to limit state tax revenues to 6 percent of state's economy unless governor declares emergency and declaration is ratified by three-fifths of each house. by *Buck, *Walker, *Head, *Newton, *Naifeh.

Further consideration of House Joint Resolution No. 576 previously considered on today's Calendar.

Rep. Buck requested that the Clerk read House Joint Resolution No. 576 for the first Constitutional reading, according to the Tennessee Constitution.

The Clerk read House Joint Resolution No. 576.

Rep. Buck moved that House Joint Resolution No. 576 be reset for the Regular Calendar on June 24, 2001, for second reading, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1678 -- Gambling - Redefines criminal offense of gambling to clarify that any form of casino gambling is prohibited; clarifies that lotteries do not include electronic or electromechanical forms of casino gambling. Amends TCA Title 39, Chapter 17, Part 5. by *Maddox, *McDaniel, *Fitzhugh, *Boyer, *Ridgeway, *Shepard, *Pinion, *Roach, *McKee, *Briley, *Vincent. (*SB1717 by *McNally, *Herron, *Williams, *Miller J, *Burks)

Rep. Maddox moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 7, 9 and 11 to **House Bill No. 1678**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 1678**

Pursuant to **Rule No. 73**, Representative Maddox moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1678, which motion prevailed.

The Speaker appointed Representatives Maddox, Briley, U. Jones, Kent and Newton as the House members of the Conference Committee on House Bill No. 1678.

HOUSE ACTION ON SENATE MESSAGE

***House Bill No. 572** -- Education - Requires prior approval of general assembly before special education folders may be modified. Amends TCA Title 49, Chapter 10. by *Bunch, *Pleasant. (SB934 by *McNally)

Rep. Bunch moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2 to **House Bill No. 572**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 572**

Pursuant to **Rule No. 73**, Representative Bunch moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 572, which motion prevailed.

The Speaker appointed Representatives Bunch, Davidson and Maddox as the House members of the Conference Committee on House Bill No. 572.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Resolution No. 165 out of order, which motion prevailed.

House Resolution No. 165 -- Memorials, Retirement - Reverend George Gerald "Jerry" Neely, Jr. by *Hood, *Beavers, *Rowland.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, the resolution was adopted.

A motion to reconsider was tabled.

ENGROSSED BILLS

June 23, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 551, 569 and 577.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR

June 23, 2001

The following local bills have been placed on the Consent Calendar for **June 24, 2001**: House Bill(s) No(s). 2033 and 2035.

ROLL CALL

The roll call was taken with the following results:

Present96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

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RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 4:00 p.m., Sunday, June 24, 2001.